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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JAMES LANE WINSLETT,  
  
Defendant.

CASE NO. 2:23-CR-00128-DJC  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
  
DATE: June 29, 2023  
TIME: 9:00 a.m.  
COURT: Hon. Daniel J. Calabretta

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on June 29, 2023.
2. By this stipulation, defendant now moves to continue the status conference until September 7, 2023, and to exclude time between June 29, 2023, and September 7, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes approximately 6,650 pages, including police reports, search warrants, photographs, and additional materials. This discovery has been either produced directly to counsel and/or made available for inspection and copying. Additionally, the physical evidence in this case includes

1 firearms and firearm silencers, which remain in law enforcement custody. Government and  
2 defense counsel are working to schedule a time for defense counsel to review these physical  
3 evidence items at the respective law enforcement agencies.

4 b) Counsel for defendant desires additional time review the produced discovery and  
5 the physical evidence, consult with his client, and otherwise prepare for trial.

6 c) Counsel for defendant believes that failure to grant the above-requested  
7 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
8 into account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the  
11 case as requested outweigh the interest of the public and the defendant in a trial within the  
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
14 et seq., within which trial must commence, the time period of June 29, 2023 to September 7,  
15 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
16 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
17 of the Court's finding that the ends of justice served by taking such action outweigh the best  
18 interest of the public and the defendant in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
20 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
21 must commence.

22 IT IS SO STIPULATED.

23  
24 Dated: June 22, 2023

PHILLIP A. TALBERT  
United States Attorney

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27 /s/ EMILY G. SAUVAGEAU  
EMILY G. SAUVAGEAU  
Assistant United States Attorney  
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1 Dated: June 22, 2023

/s/ TIMOTHY E. WARRINER  
TIMOTHY E. WARRINER  
Counsel for Defendant  
JAMES LANE WINSLETT

6 **ORDER**

7 IT IS SO FOUND AND ORDERED this 23rd day of June, 2023.

8 /s/ Daniel J. Calabretta  
9 THE HONORABLE DANIEL J. CALABRETTA  
10 UNITED STATES DISTRICT JUDGE